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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,548	05/03/2005	Bard Martin Tinnen	08106.0002	6504
22852	7590	10/16/2007		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER WRIGHT, GIOVANNA COLLINS	
			ART UNIT 3672	PAPER NUMBER
			MAIL DATE 10/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/511,548	Applicant(s) TINNEN, BARD MARTIN	
	Examiner Giovanna C. Wright	Art Unit 3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-16, 23, 25, 27, 28 and 31 is/are rejected.
- 7) ☒ Claim(s) 17-22, 24, 26, 29, 30 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 11-16 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Parrott et al. 6817598.

Referring to claims 11-14, and 31, Parrott discloses (see fig. 2c) a device for a tool string for insertion in a well, comprising a brake nose (section closest to element 45) arranged at a leading tip of the tool string (5), a landing sleeve (at 45) configured to receive the brake nose is connected in a locking manner (see slips between elements 40 and 45) to a well tubing where the landing sleeve is positioned immediately above a safety valve (see fig. 1, at 20) of the well and wherein the landing sleeve includes a brake tubing (at 40) and the brake nose (section closest to element 45) and the leading tip (end of string 5) are along a common axis.

Referring to claim 15, Parrott discloses a through-going pipe opening of the landing sleeve and/or the brake tubing comprises an upper bore (at 45) and a lower

bore (at 55), and wherein the diameter of the lower bore differs from the diameter of the upper bore.

Referring to claim 16, the brake nose is provided with a brake spindle (section closes to the end of the tool string that moves through bores at 45 and 55) configured to be moved into the upper and lower bores.

3. Claims 23,25,27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis 4735402.

Referring to claims 23,25,27 and 28, Davis discloses a braking device (fig. 6) for limiting a velocity of a tool string (at 238), comprising: a cylindrical housing (48) connected to the tool string; and a brake spindle (68) comprising first (top portion of element 262) and second (bottom portion of element 262) braking sections that are labyrinths to reduce a velocity of a tool string and a latch ring (58) that surrounds the brake spindle and protrudes into an annulus at a leading end of the cylindrical housing.

Allowable Subject Matter

4. Claims 17-22,24,26, 29-30 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments filed 8/3/07 have been fully considered but they are not persuasive. The applicant argues that Davis does not disclose a tool string. However, the claim does not mention the tool string is in a wellbore. Nor does the specification disclose a special definition for the term "tool string". As broadly claim the term "tool string" relates to any tool that is in the form of a string. Therefore, Davis discloses a tool string. The applicant argues Davis does not disclose first and second braking section. However, the claim does not give any special features to the first and second braking sections. Therefore, as broadly claimed, the top half of element 262 can be considered a braking section and the bottom half of element 262 can be considered a second braking section.

6. Applicant's arguments with respect to claims 11-16 have been considered but are moot in view of the new ground(s) of rejection.

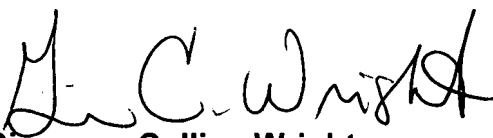
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna C. Wright whose telephone number is 571-272-7027. The examiner can normally be reached on 7-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3672

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Giovanna Collins Wright
Patent Examiner
Technology Center 3670